

## Article - Health - General

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§7–101.

- (a) In this title the following words have the meanings indicated.
- (b) “Administration” means the Developmental Disabilities Administration.
- (c) (1) “Admission” means the process by which an individual with an intellectual disability is accepted as a resident in a State residential center.  
(2) “Admission” includes the physical act of the individual entering the facility.
- (d) (1) “Alternative living unit” means a residence that:
  - (i) Provides residential services for individuals who, because of developmental disability, require specialized living arrangements;
  - (ii) Admits not more than 3 individuals; and
  - (iii) Provides 10 or more hours of supervision per unit, per week.(2) “Alternative living unit” does not include a residence that is owned or rented by:
  - (i) 1 or more of its residents; or
  - (ii) A person who:
    - 1. Is an agent for any of the residents; but
    - 2. Is not a provider of residential supervision.
- (e) “Claim” has the meaning stated in § 2–601 of this article.
- (f) “Deputy Secretary” means the Deputy Secretary for Developmental Disabilities.

(g) “Developmental disability” means a severe chronic disability of an individual that:

(1) Is attributable to a physical or mental impairment, other than the sole diagnosis of mental illness, or to a combination of mental and physical impairments;

(2) Is manifested before the individual attains the age of 22;

(3) Is likely to continue indefinitely;

(4) Results in an inability to live independently without external support or continuing and regular assistance; and

(5) Reflects the need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services that are individually planned and coordinated for the individual.

(h) “External support” means:

(1) Periodic monitoring of the circumstances of an individual with respect to:

(i) Personal management;

(ii) Household management; and

(iii) The use of community resources; and

(2) Rendering appropriate advice or assistance that may be needed.

(i) “Fee-for-service” means a method for payment that requires a person to submit a claim for payment to the Department for each service performed.

(j) “Group home” means a residence that:

(1) Provides residential services for individuals who, because of developmental disability, require specialized living arrangements;

(2) Admits at least 4 but not more than 8 individuals; and

(3) Provides 10 or more hours of supervision per home, per week.

(k) “Habilitation” means a process by which a provider of services enables an individual to acquire and maintain life skills to cope more effectively with the demands of the individual’s own person and environment and to raise the level of the individual’s mental, physical, social, and vocational functioning.

(l) (1) “Individual support services” means an array of services that are designed to increase or maintain an individual’s ability to live alone or in a family setting.

(2) “Individual support services” include:

- (i) In-home assistance with meals and personal care;
- (ii) Counseling;
- (iii) Physical, occupational, or other therapies;
- (iv) Architectural modification; and

(v) Any other services that the Administration considers appropriate to meet the individual’s needs.

(3) “Individual support services” does not include full day or residential services.

(m) “Intellectual disability” means a developmental disability that is evidenced by significantly subaverage intellectual functioning and impairment in the adaptive behavior of an individual.

(n) “Knowingly” has the meaning stated in § 2-601 of this article.

(o) “Live independently” means:

(1) For adults:

- (i) Managing personal care, such as clothing and medication;
- (ii) Managing a household, such as menu planning, food preparation and shopping, essential care of the premises, and budgeting; and
- (iii) Using community resources, such as commercial establishments, transportation, and services of public agencies; or

(2) For minors, functioning in normal settings without the need for supervision or assistance other than supervision or assistance that is age appropriate.

(p) “Meaningful day services” means employment supports or home- and community-based supports, other than residential services, that assist an individual in developing and maintaining skills, interests, and personalized connections that may create opportunities for paid employment, increased independence, or meaningful relationships with other individuals in the community.

(q) “Provider” means an individual who is licensed or certified under Subtitle 9 of this title and provides services to:

(1) A recipient; or

(2) An individual with a developmental disability who receives funding for services from a source other than the Administration.

(r) “Recipient” means an individual who receives services funded by the Administration under this title.

(s) “Release” means a permanent, temporary, absolute, or conditional release of an individual from a State residential center.

(t) “Residential services” means individualized support and services that assist an individual in developing and maintaining skills in living in the community.

(u) “Services” means residential, day, or other services that provide for evaluation, diagnosis, treatment, care, supervision, assistance, or attention to individuals with developmental disability and that promote habilitation of these individuals.

(v) “Services coordination” means a service that consists of the following 3 major functions that are designed to assist an individual in obtaining the needed services and programs that the individual desires in order to gain as much control over the individual’s own life as possible:

(1) Planning services;

(2) Coordinating services; and

(3) Monitoring service delivery to the individual.

(w) “State residential center” means a licensed facility operated by the State that provides residential and habilitation services to individuals with an intellectual

disability who are at least 18 years old and meet the criteria set forth in § 7–502 of this title.

(x) “Support services” means supports that assist an individual to maintain or improve the individual’s functional abilities, enhance interactions, or engage in meaningful relationships in the home or community.

(y) “Treatment” means any education, training, professional care or attention, or other program that is given to an individual with developmental disability.

(z) “Vocational services” means a service that provides job training and placement, supported employment and training in acceptable work behaviors, and vocationally-related social and other skills.

(aa) “Waiver program” means each Medicaid Home– and Community–Based Services Waiver funding program submitted by the Department and approved by the federal Centers for Medicare and Medicaid Services in accordance with § 1915(c) of the Social Security Act that is overseen and administered by the Administration.

(bb) “Waiver program services” means services funded by the Administration in accordance with a waiver program, including:

- (1) Meaningful day services;
- (2) Residential services; and
- (3) Support services.

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